IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3408 OF 1990

M/s.Premji Motors & Another .. Petitioners.

V/s.

Union of India & Others .. Respondents.

None for the petitioners.

Mr.R.V. Desai, senior advocate for the respondents.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 20TH JUNE, 2006.

P.C. :

None for the petitioners.

Perused petition.

2. By virtue of our last order, notices were directed to be served on the petitioners. Revenue was permitted to effect service. Service has not been effected. Mr.R.V. Desai, learned senior advocate appearing for the Revenue submits that the company is not in existence. It is not possible for the Revenue to find out the whereabouts of proprietors, partners and/or directors, if any. In that view of the matter, he submits that the possibility of recovery of dues of the department is

almost nil. In his submission no useful purpose will be served by keeping the petition pending.

3. The department has also not produced original bank guarantee to examine possibility of its enforcement. The reluctance on the part of the department to proceed with the matter is writ large.

4. In the aforesaid background, the petition is liable to be dismissed for want of prosecution.

5. The petition is, thus, dismissed in default. Rule is discharged. No order as to costs.

(V.C. DAGA, J.)

(J.P. DEVADHAR, J.)